

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127916/NMC/2020

Date registered valid: 4 September 2020

Proposal: Non-material change to planning permission ref: 123748/FO/2019 to allow for a variation in the wording of condition nos. 14 (trigger for the submission of landscaping details) and 23 (trigger for the submission of the highway improvement works)

Address: Christie Hospital Nhs Trust , 550 Wilmslow Road, Manchester, M20 4BX

Ward(s): Withington Ward

Applicant: Christie Hospital NHS Trust, 550 Wilmslow Road, Manchester, M20 4BX

Agent (if any): Amy Longmore, Turley, 1 New York Street, Manchester, M1 4HD

Case officer: David Lawless
Tel: 0161 234 4543
Email: d.lawless@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 1 October 2020

Application details

Type of application: Non-Material Change Application

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

This application relates to a 0.64 hectare site formally occupied by the four storey Paterson Building to the north of the Wilmslow Road/Oak Road junction and a separate site on the northern side of Kinnaird Road. The site is located within Flood Zone 1 (low risk of flooding) and is not located within an Air Quality Management Area.

The Paterson Building was damaged by fire in 2017 and permission was granted for its demolition in December 2018 (ref. 121526/DEM/2018). The main site is located on the western side of Wilmslow Road, within the main Christie campus and adjoins hospital buildings to the west and north. The campus is made up of a variety of buildings of differing scale, though they are predominantly 4 to 5 storeys in height. On the opposite side of Oak Road is a three storey residential property and elements of a 2 storey commercial premises that fronts Wilmslow Road. There are a number of three storey residential properties and the three storey Manchester Cancer Research Centre (MCRC) on the opposite side of Wilmslow Road.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

The applicant obtained planning permission in August 2019, under reference 123748/FO/2019, for the erection a part 3, part 7 and part 10 storey building to form biomedical research laboratories and associated accommodation. This proposal is seeking consent to vary the trigger times for the submission of information to discharge the landscaping condition (14 and highway improvement condition (23).

Due to delays with subcontractor engagements brought about by the implications of COVID-19, there has been a delay in the agreement and supply of the proposed landscaping treatments. As such, the landscaping treatment scheme cannot be finalised at this stage, and will not be available prior to above-ground construction works.

Engagements between the contractor and MCC Highways to agree a scheme for the offsite highway improvement works has been delayed, which has been brought about by the implications of COVID-19. As such, and so as to avoid delaying the above ground construction works, it is proposed a detailed scheme for the offsite highway improvement works shall be submitted to MCC for approval prior to the commencement of these works.

The variation to the conditions is shown below:

Original

14) Above-ground construction works shall not commence until a hard and soft landscaping treatment scheme (including details of trees to be planted at the front of the development) has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Revised:

14) ~~Above-ground construction works shall not commence until a~~ **Prior to the commencement of the** hard and soft landscaping treatment scheme **a detailed scheme of these works** (including details of trees to be planted at the front of the development) ~~has been~~ **shall be** submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Original:

23) Prior to the commencement of above ground works, a detailed scheme for the off-site highway improvement works outlined below shall be submitted to and approved by the City Council as local planning authority. The approved scheme shall be implemented before the development hereby approved is occupied.

- footway reinstatement and resurfacing
- amendments to TROs on Oak Road

Revised:

23) Prior to the commencement of ~~above-ground works~~ **the highway improvement works**, a detailed scheme for ~~the offsite highway improvement~~ **these works outlined below** shall be submitted to and approved by the City Council as local planning authority. The approved scheme shall be implemented before the development hereby approved is occupied.

- footway reinstatement and resurfacing
- amendments to TROs on Oak Road

Consultations & Notification Responses

n/a

Policies

The National Planning Policy Framework (February 2019) – The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11 July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below

Spatial Objective SO1, *Spatial Principles* – Provide a framework within which the sustainable development of the City can contribute to halting climate change.

Spatial Objective SO2. *Economy* – Support a significant further improvement of the City's economic performance and spread the benefits of this growth across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities.

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment. This is discussed below.

Policy DM1, *Development Management*, – This policy states that all development should have regard to a number of specific issues, the most relevant of which are detailed below:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Issues

Residential and Visual Amenity – The proposed amendments to the conditions will not have an unduly detrimental impact upon the levels of residential and visual amenity enjoyed within the vicinity of the site.

Pedestrian and Highway Safety – The amendments to the conditions will not have an impact upon existing levels of pedestrian and highway safety as the highway improvements will still be delivered.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: APPROVE

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The details of the proposed amendments are:-

- a) revisions to the trigger for the submission of landscaping details (condition 14)
- b) revisions to the trigger for the submission of the highway improvement works (condition 23)

2) Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the levels of residential and visual amenity and pedestrian and highway safety enjoyed within the vicinity of the site.

3) Condition 14 - Prior to the commencement of the hard and soft landscaping treatment scheme a detailed scheme of these works (including details of trees to be planted at the front of the development) shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

4) Condition 23 - Prior to the commencement of the highway improvement works, a detailed scheme for these works shall be submitted to and approved by the City Council as local planning authority. The approved scheme shall be implemented before the development hereby approved is occupied.

- o footway reinstatement and resurfacing
- o amendments to TROs on Oak Road

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 in the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH

The details of the proposed amendments are:-

- a) revisions to the trigger for the submission of landscaping details (condition 14)
- b) revisions to the trigger for the submission of the highway improvement works (condition 23)

Following an assessment of the details submitted, I can confirm that the proposed amendments are considered to be of a non-material nature and are considered to be acceptable to the City Council as the Local Planning Authority. The City Council is satisfied that the proposed changes will have no material impact upon the levels of residential and visual amenity and pedestrian and highway safety enjoyed within the vicinity of the site.